

such gross violations of human rights have been addressed and or will be addressed through Program activities;

(G) the assistance provided in each of the 3 preceding fiscal years under the Program, broken down by partner country, including the type, statutory authorization, and purpose of all United States security assistance provided to the country pursuant to authorities under title 10, United States Code, the Foreign Assistance Act of 1961 (22 U.S.C. 2151 et seq.), or any other “train and equip” authorities of the Department of Defense; and

(H) any changes or updates to the Comprehensive 5-Year Strategy for the Program required under paragraph (4)(C) necessitated by the findings in this annual report.

(7) REPORTING REQUIREMENT RELATED TO AUDIT OF BUREAU OF AFRICAN AFFAIRS MONITORING AND COORDINATION OF THE TRANS-SAHARA COUNTERTERRORISM PARTNERSHIP PROGRAM.—Not later than 90 days after the date of the enactment of this Act, and every 120 days thereafter until the earlier of the date on which all 13 recommendations in the September 2020 Department of State Office of Inspector General audit entitled “Audit of the Department of State Bureau of African Affairs Monitoring and Coordination of the Trans-Sahara Counterterrorism Partnership Program” (AUD-MERO-20-42) are closed or the date that is 3 years after the date of the enactment of this Act, the Secretary of State shall submit a report to the appropriate congressional committees that identifies—

(A) which of the 13 recommendations in AUD-MERO-20-42 have not been closed;

(B) a description of progress made since the last report toward closing each recommendation identified under subparagraph (A);

(C) additional resources needed, including assessment of staffing capacity, if any, to complete action required to close each recommendation identified under subparagraph (A); and

(D) the anticipated timeline for completion of action required to close each recommendation identified under subparagraph (A), including application of all recommendations into all existing security assistance programs managed by the Department of State under the Program.

(8) PROGRAM ADMINISTRATION.—Not later than 120 days after the date of the enactment of this Act, the Secretary of State shall submit a report to Congress that describes plans for conducting a written review of a representative sample of each of the security assistance programs administered by the Bureau of African Affairs that—

(A) identifies potential waste, fraud, abuse, inefficiencies, or deficiencies; and

(B) includes an analysis of staff capacity, including human resource needs, available resources, procedural guidance, and monitoring and evaluation processes to ensure that the Bureau of African Affairs is managing programs efficiently and effectively.

(9) FORM.—The strategies required under subparagraphs (B) and (C) of paragraph (4) and the report required under paragraph (6) shall be submitted in unclassified form, but may include a classified annex.

(e) RULE OF CONSTRUCTION.—Nothing in this section may be construed as authorizing the use of military force.

SA 4513. Mr. MENENDEZ (for himself and Mr. RISCH) submitted an amendment intended to be proposed to amendment SA 3867 submitted by Mr. REED and intended to be proposed to the bill H.R. 4350, to authorize appropriations for fiscal year 2022 for military activities of the Department of

Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place in title X, insert the following:

SEC. —. ENHANCING TRANSPARENCY ON INTERNATIONAL AGREEMENTS AND NON-BINDING INSTRUMENTS.

(a) SECTION 112B OF TITLE 1.—

(1) IN GENERAL.—Chapter 2 of title 1, United States Code, is amended by striking section 112b and inserting the following:

“§ 112b. United States international agreements; transparency provisions

“(a)(1) Not less frequently than once each month, the Secretary, through the Legal Adviser of the Department of State, shall provide in writing to the appropriate congressional committees the following:

“(A)(i) A list of all international agreements and qualifying non-binding instruments approved for negotiation by the Secretary or another Department of State officer at the Assistant Secretary level or higher during the prior month, or, in the event an international agreement or qualifying non-binding instrument is not included in the list required by this clause, a certification corresponding to the international agreement or qualifying non-binding instrument as authorized under paragraph (4)(A).

“(ii) A description of the intended subject matter and parties to or participants for each international agreement and qualifying non-binding instrument listed pursuant to clause (i).

“(B)(i) A list of all international agreements and qualifying non-binding instruments signed, concluded, or otherwise finalized during the prior month.

“(ii) The text of all international agreements and qualifying non-binding instruments described in clause (i).

“(iii) A detailed description of the legal authority that, in the view of the Secretary, provides authorization for each international agreement and qualifying non-binding instrument provided under clause (ii) to become operative. If multiple authorities are relied upon in relation to an international agreement or qualifying non-binding instrument, the Secretary shall cite all such authorities. All citations to a treaty or statute shall include the specific article or section and subsection reference whenever available and, if not available, shall be as specific as possible. If the authority relied upon is or includes article II of the Constitution of the United States, the Secretary shall explain the basis for that reliance.

“(C)(i) A list of all international agreements that entered into force and qualifying non-binding instruments that became operative for the United States or an agency of the United States during the prior month.

“(ii) The text of all international agreements and qualifying non-binding instruments described in clause (i).

“(iii) A statement describing any new or amended statutory or regulatory authority anticipated to be required to fully implement each proposed international agreement and qualifying non-binding instrument included in the list described in clause (i).

“(iv) A statement of whether there were any opportunities for public comment on the international agreement or qualifying non-binding instrument prior to the conclusion of such agreement or instrument.

“(2) The Secretary may provide any of the information or texts of international agreements and qualifying non-binding instruments required under paragraph (1) in classi-

fied form if providing such information in unclassified form could reasonably be expected to cause damage to the foreign relations or foreign activities of the United States.

“(3) In the case of a general authorization issued for the negotiation or conclusion of a series of international agreements of the same general type, the requirements of this subsection may be satisfied by the provision in writing of—

“(A) a single notification containing all the information required by this subsection; and

“(B) a list, to the extent described in such general authorization, of the countries or entities with which such agreements are contemplated.

“(4)(A) The Secretary may, on a case-by-case basis, waive the requirements of subsection (a)(1)(A)(i) with respect to a specific international agreement or qualifying non-binding instrument for renewable periods of up to 180 days if the Secretary certifies in writing to the appropriate congressional committees that—

“(i) exercising the waiver authority is vital to the negotiation of a particular international agreement or qualifying non-binding instrument; and

“(ii) the international agreement or qualifying non-binding instrument would significantly and materially advance the foreign policy or national security interests of the United States.

“(B) The Secretary shall brief the Majority Leader and the Minority Leader of the Senate, the Speaker and the Minority Leader of the House of Representatives, and the Chairs and Ranking Members of the appropriate congressional committees on the scope and status of the negotiation that is the subject of the waiver under subparagraph (A)—

“(i) not later than 60 calendar days after the date on which the Secretary exercises the waiver; and

“(ii) once every 180 calendar days during the period in which a renewed waiver is in effect.

“(C) The certification required by subparagraph (A) may be provided in classified form.

“(D) The Secretary shall not delegate the waiver authority or certification requirements under subparagraph (A). The Secretary shall not delegate the briefing requirements under subparagraph (B) to any person other than the Deputy Secretary.

“(b)(1) Not less frequently than once each month, the Secretary shall make the text of all international agreements that entered into force during the prior month, and the information required by subparagraph (B)(iii) of subsection (a)(1) and clauses (iii) and (iv) of subparagraph (C) of such subsection, available to the public on the website of the Department of State.

“(2) The requirement under paragraph (1)—

“(A) shall not apply to any information, including the text of an international agreement, that is classified; and

“(B) shall apply to any information, including the text of an international agreement, that is unclassified, except that the information required by subparagraph (B)(iii) of subsection (a)(1) and clauses (iii) and (iv) of subparagraph (C) of such subsection shall not be subject to the requirement under paragraph (1) if the international agreement to which it relates is classified.

“(3)(A) Not less frequently than once every 90 calendar days, the Secretary shall make the text of all unclassified qualifying non-binding instruments that become operative available to the public on the website of the Department of State.

“(B) The requirement under subparagraph (A) shall not apply to a qualifying non-binding instrument if making the text of that instrument available to the public could reasonably be expected to cause damage to the foreign relations or foreign activities of the United States.

“(c) For any international agreement or qualifying non-binding instrument, not later than 30 calendar days after the date on which the Secretary receives a written communication from the Chair or Ranking Member of either of the appropriate congressional committees requesting copies of any implementing agreements or instruments, whether binding or non-binding, the Secretary shall submit such implementing agreements or instruments to the appropriate congressional committees.

“(d) Any department or agency of the United States Government that enters into any international agreement or qualifying non-binding instrument on behalf of itself or the United States shall—

“(1) provide to the Secretary the text of each international agreement not later than 30 calendar days after the date on which such agreement is signed;

“(2) provide to the Secretary the text of each qualifying non-binding instrument not later than 30 calendar days after the date of the written communication described in subsection (m)(3)(A)(ii)(II); and

“(3) on an ongoing basis, provide any implementing material to the Secretary for transmittal to the appropriate congressional committees as needed to satisfy the requirements described in subsection (c).

“(e)(1) Each department or agency of the United States Government that enters into any international agreement or qualifying non-binding instrument on behalf of itself or the United States shall designate a Chief International Agreements Officer, who shall—

“(A) be selected from among employees of such department or agency;

“(B) serve concurrently as the Chief International Agreements Officer; and

“(C) subject to the authority of the head of such department or agency, have department- or agency-wide responsibility for efficient and appropriate compliance with this section.

“(2) The Chief International Agreements Officer of the Department of State shall serve in the Office of the Legal Adviser with the title of International Agreements Compliance Officer.

“(f) Texts of oral international agreements and qualifying non-binding instruments shall be reduced to writing and subject to the requirements of subsection (a).

“(g) Notwithstanding any other provision of law, an international agreement may not be signed or otherwise concluded on behalf of the United States without prior consultation with the Secretary. Such consultation may encompass a class of agreements rather than a particular agreement.

“(h)(1) Notwithstanding any other provision of law, no amounts appropriated to the Department of State under any law shall be available for obligation or expenditure to conclude or implement or to support the conclusion or implementation of (including through the use of personnel or resources subject to the authority of a chief of mission) an international agreement, other than to facilitate compliance with this section, until the Secretary satisfies the substantive requirements in subsection (a) with respect to that international agreement.

“(2)(A) An obligation or expenditure of funds that does not comply with the prohibition described in paragraph (1) shall not constitute a violation of paragraph (1) or any other law if such violation was inadvertent.

“(B) For purposes of this subsection, a violation shall be considered to be inadvertent if, not later than 5 business days after the date on which a Department of State official first learns of the violation, the Secretary—

“(i) certifies in writing to the appropriate congressional committees that, to the Secretary's knowledge, the Department of State was unaware of the violation at the time of the obligation or expenditure; and

“(ii) satisfies the substantive requirements in subsection (a) with respect to the international agreement concerned.

“(3) This subsection shall take effect on October 1, 2022.

“(i)(1) Not later than 3 years after the date of the enactment of this Act, and not less frequently than once every 2 years thereafter, the Comptroller General of the United States shall conduct an audit of the compliance of the Secretary with the requirements of this section.

“(2) In any instance in which a failure by the Secretary to comply with such requirements is determined by the Comptroller General to have been due to the failure or refusal of another agency to provide information or material to the Department of State, or the failure to do so in a timely manner, the Comptroller General shall engage such other agency to determine—

“(A) the cause and scope of such failure or refusal;

“(B) the specific office or offices responsible for such failure or refusal; and

“(C) penalties or other recommendations for measures to ensure compliance with statutory requirements.

“(3) The Comptroller General shall submit to the appropriate congressional committees in writing the results of each audit required by paragraph (1).

“(4) The Comptroller General and the Secretary shall make the results of each audit required by paragraph (1) publicly available on the websites of the Government Accountability Office and the Department of State, respectively.

“(j)(1) Not later than February 1 of each year, the Secretary shall submit to the appropriate congressional committees a written report that contains a list of—

“(A) all international agreements and qualifying non-binding instruments that were signed or otherwise concluded, entered into force or otherwise became operative, or that were modified or otherwise amended during the preceding calendar year; and

“(B) for each agreement and instrument included in the list under subparagraph (A)—

“(i) the dates of any action described in such subparagraph;

“(ii) the title of the agreement or instrument; and

“(iii) a summary of the agreement or instrument (including a description of the duration of activities under the agreement or instrument and a description of the agreement or instrument).

“(2) The report described in paragraph (1) shall be submitted in unclassified form, but may include a classified annex.

“(3)(A) The Secretary should make the report, except for any classified annex, available to the public on the website of the Department of State.

“(B) Not later than February 1 of each year, the Secretary shall make available to the public on the website of the Department of State each part of the report involving an international agreement or qualifying non-binding instrument that entered into force or became operative during the preceding calendar year, except for any classified annex or information contained therein.

“(4) Not less frequently than once every 90 calendar days, the Secretary shall brief the appropriate congressional committees on de-

velopments with regard to treaties, other international agreements, and non-binding instruments that have an important effect on the foreign relations of the United States.

“(k) The President shall, through the Secretary, promulgate such rules and regulations as may be necessary to carry out this section.

“(l) It is the sense of Congress that the executive branch should not prescribe or otherwise commit to or include specific legislative text in a treaty, executive agreement, or non-binding instrument unless Congress has authorized such action.

“(m) In this section:

“(1) The term ‘appropriate congressional committees’ means—

“(A) the Committee on Foreign Relations of the Senate; and

“(B) the Committee on Foreign Affairs of the House of Representatives.

“(2) The term ‘Deputy Secretary’ means the Deputy Secretary of State.

“(3) The term ‘intelligence community’ has the meaning given that term in section 3(4) of the National Security Act of 1947 (50 U.S.C. 3003(4)).

“(4) The term ‘international agreement’ includes—

“(A) any treaty that requires the advice and consent of the Senate, pursuant to article II of the Constitution of the United States; and

“(B) any other international agreement to which the United States is a party and that is not subject to the advice and consent of the Senate.

“(5)(A) The term ‘qualifying non-binding instrument’ means a non-binding instrument that—

“(i) is or will be under negotiation or is signed or otherwise becomes operative with one or more foreign governments, international organizations, or foreign entities, including non-state actors; and

“(ii)(I) could reasonably be expected to have a significant impact on the foreign policy of the United States; or

“(II) is the subject of a written communication from the Chair or Ranking Member of either of the appropriate congressional committees to the Secretary.

“(B) The term ‘qualifying non-binding instrument’ does not include any non-binding instrument that is signed or otherwise becomes operative pursuant to the authorities provided in title 10 or the authorities provided to any element of the intelligence community.

“(6) The term ‘Secretary’ means the Secretary of State.

“(7)(A) The term ‘text’ with respect to an international agreement or qualifying non-binding instrument includes—

“(i) any annex, appendix, codicil, side agreement, side letter, or any document of similar purpose or function to the aforementioned, regardless of the title of the document, that is entered into contemporaneously and in conjunction with the international agreement or qualifying non-binding instrument; and

“(ii) any implementing agreement or arrangement, or any document of similar purpose or function to the aforementioned regardless of the title of the document, that is entered into contemporaneously and in conjunction with the international agreement or qualifying non-binding instrument.

“(B) Under clauses (i) and (ii) of subparagraph (A), the term ‘contemporaneously and in conjunction with’ shall be construed liberally and shall not be interpreted to mean simultaneously or on the same day.”.

(2) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 2 of title

1, United States Code, is amended by striking the item relating to section 112b and inserting the following:

“112b. United states international agreements; transparency provisions.”.

(3) TECHNICAL AND CONFORMING AMENDMENT RELATING TO AUTHORITIES OF THE SECRETARY OF STATE.—Section 317(h)(2) of the Homeland Security Act of 2002 (6 U.S.C. 195c(h)(2)) is amended by striking “Section 112b(c)” and inserting “Section 112b(g)”.

(4) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to the Department of State \$1,000,000 for each of fiscal years 2022 through 2026 for purposes of implementing the requirements of section 112b of title 1, United States Code, as amended by this subsection.

(5) RULES AND REGULATIONS.—Not later than 180 days after the date of the enactment of this Act, the President shall, through the Secretary of State, promulgate such rules and regulations as may be necessary to carry out section 112b of title 1, United States Code, as amended by this subsection.

(b) SECTION 112A OF TITLE 1.—Section 112a of title 1, United States Code, is amended—

(1) in subsection (a), by striking “(a) The Secretary” and inserting “The Secretary”;

and

(2) by striking subsections (b), (c), and (d).

SA 4514. Mr. WHITEHOUSE (for himself and Mr. PORTMAN) submitted an amendment intended to be proposed to amendment SA 3867 submitted by Mr. REED and intended to be proposed to the bill H.R. 4350, to authorize appropriations for fiscal year 2022 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle G of title X, add the following:

SEC. 1064. RESEARCH INTO NON-OPIOID PAIN MANAGEMENT.

(a) IN GENERAL.—The Secretary of Health and Human Services, acting through the Director of the National Institutes of Health and the Director of the Centers for Disease Control and Prevention, shall carry out research with respect to non-opioid methods of pain management, including non-pharmaceutical remedies for pain and integrative medicine solutions.

(b) AUTHORIZATION OF APPROPRIATIONS.—For purposes of conducting research under this section, there are authorized to be appropriated such sums as may be necessary for each of fiscal years 2022 through 2026.

SEC. 1065. LONG-TERM TREATMENT AND RECOVERY SUPPORT SERVICES OUTCOMES RESEARCH.

(a) IN GENERAL.—The Secretary of Health and Human Services shall award grants to eligible entities to carry out evidence-based, long-term outcomes research, over 5-year periods, for different modalities of treatment and recovery support for substance use disorder, including culturally competent (as defined in section 102 of the Developmental Disabilities Assistance and Bill of Rights Act of 2000 (42 U.S.C. 15002)) treatment. Such research shall measure mortality, morbidity, physical and emotional health, employment, stable housing, criminal justice involvement, family relationships, and other quality-of-life measures. Such research shall distinguish outcomes based on race, gender, and socioeconomic status, as well as any other relevant characteristics.

(b) AUTHORIZATION OF APPROPRIATIONS.—To carry out this section, there are authorized to be appropriated such sums as may be necessary.

SEC. 1066. CONTINUING CARE AND COMMUNITY SUPPORT TO MAINTAIN RECOVERY.

Title V of the Public Health Service Act is amended by inserting after section 547A of such Act (42 U.S.C. 290ee–2a) the following:

“SEC. 547B. CONTINUING CARE AND COMMUNITY SUPPORT TO MAINTAIN RECOVERY.

“(a) IN GENERAL.—The Secretary shall award grants to peer recovery support services, for the purposes of providing continuing care and ongoing community support for individuals to maintain recovery from substance use disorders.

“(b) DEFINITION.—For purposes of this section, the term ‘peer recovery support services’ means an independent nonprofit organization that provides peer recovery support services, through credentialed peer support professionals.

“(c) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated, for each of fiscal years 2022 through 2026, \$50,000,000 for purposes of awarding grants under subsection (a).”.

SA 4515. Mr. MENENDEZ (for himself and Mr. RISCH) submitted an amendment intended to be proposed to amendment SA 3867 submitted by Mr. REED and intended to be proposed to the bill H.R. 4350, to authorize appropriations for fiscal year 2022 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end, add the following:

**DIVISION E—DEPARTMENT OF STATE
AUTHORIZATION ACT OF 2021**

SEC. 5001. SHORT TITLE.

This division may be cited as the “Department of State Authorization Act of 2021”.

SEC. 5002. DEFINITIONS.

In this division:

(1) APPROPRIATE CONGRESSIONAL COMMITTEES.—The term “‘appropriate congressional committees’” means the Committee on Foreign Relations of the Senate and the Committee on Foreign Affairs of the House of Representatives.

(2) DEPARTMENT.—If not otherwise specified, the term “‘Department’” means the Department of State.

(3) SECRETARY.—If not otherwise specified, the term “‘Secretary’” means the Secretary of State.

TITLE I—ORGANIZATION AND OPERATIONS OF THE DEPARTMENT OF STATE

SEC. 5101. SENSE OF CONGRESS ON IMPORTANCE OF DEPARTMENT OF STATE’S WORK.

It is the sense of Congress that—

(1) United States global engagement is key to a stable and prosperous world;

(2) United States leadership is indispensable in light of the many complex and interconnected threats facing the United States and the world;

(3) diplomacy and development are critical tools of national power, and full deployment of these tools is vital to United States national security;

(4) challenges such as the global refugee and migration crises, terrorism, historic famine and food insecurity, and fragile or repressive societies cannot be addressed without sustained and robust United States diplomatic and development leadership;

(5) the United States Government must use all of the instruments of national security and foreign policy at its disposal to protect United States citizens, promote United States interests and values, and support global stability and prosperity;

(6) United States security and prosperity depend on having partners and allies that share our interests and values, and these partnerships are nurtured and our shared interests and values are promoted through United States diplomatic engagement, security cooperation, economic statecraft, and assistance that helps further economic development, good governance, including the rule of law and democratic institutions, and the development of shared responses to natural and humanitarian disasters;

(7) as the United States Government agencies primarily charged with conducting diplomacy and development, the Department and the United States Agency for International Development (USAID) require sustained and robust funding to carry out this important work, which is essential to our ability to project United States leadership and values and to advance United States interests around the world;

(8) the work of the Department and USAID makes the United States and the world safer and more prosperous by alleviating global poverty and hunger, fighting HIV/AIDS and other infectious diseases, strengthening alliances, expanding educational opportunities for women and girls, promoting good governance and democracy, supporting anti-corruption efforts, driving economic development and trade, preventing armed conflicts and humanitarian crises, and creating American jobs and export opportunities;

(9) the Department and USAID are vital national security agencies, whose work is critical to the projection of United States power and leadership worldwide, and without which Americans would be less safe, United States economic power would be diminished, and global stability and prosperity would suffer;

(10) investing in diplomacy and development before conflicts break out saves American lives while also being cost-effective; and

(11) the contributions of personnel working at the Department and USAID are extraordinarily valuable and allow the United States to maintain its leadership around the world.

SEC. 5102. BUREAU OF DEMOCRACY, HUMAN RIGHTS, AND LABOR.

Paragraph (2) of section 1(c) of the State Department Basic Authorities Act of 1956 (22 U.S.C. 2651a) is amended—

(1) in subparagraph (A), by adding at the end the following new sentence: “All special envoys, ambassadors, and coordinators located within the Bureau of Democracy, Human Rights, and Labor shall report directly to the Assistant Secretary unless otherwise provided by law.”;

(2) in subparagraph (B)(ii)—

(A) by striking “section” and inserting “sections 116 and”; and

(B) by inserting before the period at the end the following: “(commonly referred to as the annual ‘Country Reports on Human Rights Practices’)”; and

(3) by adding at the end the following new subparagraphs:

“(C) AUTHORITIES.—In addition to the duties, functions, and responsibilities specified in this paragraph, the Assistant Secretary of State for Democracy, Human Rights, and Labor is authorized to—

“(i) promote democracy and actively support human rights throughout the world;

“(ii) promote the rule of law and good governance throughout the world;

“(iii) strengthen, empower, and protect civil society representatives, programs, and